

IN THE MATTER OF : **SETTLEMENT AGREEMENT**
HAROLD BLAINE : **RE: NOTICE OF LICENSE**
LSRP LICENSE #573634 : **SUSPENSION AND**
: **CIVIL ADMINISTRATIVE**
: **PENALTY ASSESSMENT**

This Settlement Agreement ("Agreement") is made as of this 27th day of May 2021 between the Site Remediation Professional Licensing Board (hereinafter "Board") and Harold Blaine (collectively, the "Parties") and shall be effective upon the date of the last signature set forth below ("Effective Date").

WHEREAS, Harold Blaine is a licensed site remediation professional ("LSRP"). On July 25, 2012, the Board issued permanent license #573634 to Harold Blaine to practice as an LSRP, which license has a July 9, 2021 expiration date. Pursuant to N.J.A.C. 7:26I-2.13(d), Mr. Blaine may apply for renewal of license #573634 on or before July 9, 2022.

WHEREAS, the New Jersey Department of Environmental Protection (hereinafter "Department") brought a complaint to the Board on April 22, 2015 regarding the remediation work of Mr. Blaine at the property located at 212-214 North Livingston Avenue, Livingston, New Jersey, Block 1706, Lots 2, 54 and 55 on the tax map of Livingston Township, Essex County (hereinafter the "Site"). The Site has been identified by the Department as Program Interest number G000061248.

WHEREAS, the Board investigated the complaint and found that Mr. Blaine violated the Site Remediation Reform Act (hereinafter "SRRA"); specifically, N.J.S.A. 58:10C-16i, N.J.S.A. 58:10C-16.b., N.J.S.A. 58:10C-16.n., N.J.S.A. 58:10C-16.h., and N.J.S.A. 58:10C-16.a.

WHEREAS, on October 30, 2018 the Board issued a Notice of License Suspension and Civil Administrative Penalty Assessment (hereinafter "Notice") to Mr. Blaine pursuant to N.J.S.A. 58:10C-17b and based upon the findings of the Board. Paragraph 51 of the Notice states that the Notice shall become final when Mr. Blaine receives a notice of the denial of the request, or, if the hearing request is granted, when Mr. Blaine withdraws the request or abandons the hearing, or, if the hearing is conducted, when Mr. Blaine receives a final decision from the Board in this matter.

WHEREAS, on December 7, 2018 Mr. Blaine filed a written Request for an Administrative Hearing in which he indicated a willingness to negotiate a settlement with the Board.

WHEREAS, by letter dated December 10, 2018, the Board granted Mr. Blaine's Request for an Administrative Hearing.

WHEREAS, the Parties have met to negotiate settlement terms.

NOW, THEREFORE,

in consideration of the foregoing, the covenants mutually exchanged herein, and for other good and valuable consideration, and in order to amicably resolve this matter without trial or adjudication, and intending to be bound hereby, the Parties hereby stipulate and agree as follows:

1. Mr. Blaine's license shall be suspended for a period of twelve (12) months, commencing on the Effective Date. Mr. Blaine shall comply with the regulatory requirements concerning license suspension as set forth in N.J.A.C. 7:26I-2.13.
2. As a penalty, Mr. Blaine shall pay the sum of \$15,000.00 by check payable to Treasurer, State of New Jersey as full satisfaction of the penalties in the Notice. Mr. Blaine shall mail payment to:

Janine MacGregor, Executive Director
Site Remediation Professional Licensing Board
c/o NJDEP Site Remediation and Waste Management Program
Office of the Assistant Commissioner
P.O. Box 420, Mail Code 401-06
401 East State Street
Trenton, N.J. 08625-0420

3. Payments may be made as follows:
\$5,000.00 within 21 days after the Effective Date;
\$5,000.00 within 6 months after the Effective Date; and
\$5,000.00 within 1 year after the Effective Date.
4. Upon execution of this Agreement, Mr. Blaine's request for an adjudicatory hearing shall be considered withdrawn, with prejudice.
5. This Agreement does not affect, resolve, or include any pending investigations of complaints against Mr. Blaine that the Board may be conducting. Notwithstanding, on April 12, 2021, Mr. Blaine also executed the

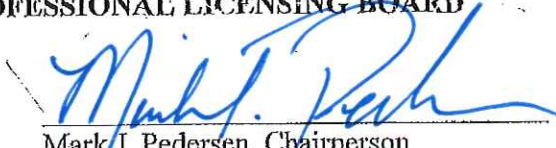
Acknowledgement and Acceptance of Board Offer of Settlement regarding SRPL Board Complaint 011-2015.

6. No modifications or waiver of this Agreement shall be valid except by written amendment to this Agreement duly executed by the Parties.
7. This Agreement shall be governed and interpreted under the laws of the State of New Jersey.
8. This Agreement represents the entire integrated agreement between the Parties concerning this matter and supersedes all prior negotiations, representations or agreements, either written or oral, unless otherwise specifically provided herein.
9. This Agreement may be signed and dated in counterparts, each of which shall be an original, and such counterparts shall together be one and the same agreement. Signature provided by facsimile, portable document format (.pdf) or other electronic transmission shall be deemed to be original signatures.
10. The Parties intend and agree that the execution of this Agreement, the payment pursuant hereto by Mr. Blaine, and any other action taken with regard to this Agreement shall not, in any way, constitute an admission by Mr. Blaine of any finding(s) or determination(s) of the Board and shall not constitute or be interpreted or used as an admission of fault, liability, law or fact, nor shall it be admissible in any proceeding, except a proceeding to enforce this Agreement.
11. By signing this Agreement, the signatories represent that they have the authority to bind the Parties to this Agreement.

**THE NEW JERSEY
SITE REMEDIATION PROFESSIONAL LICENSING BOARD**

DATE:

6/16/2021


Mark J. Pedersen, Chairperson
New Jersey Site Remediation
Professional Licensing Board

HAROLD BLAINE, LSRP LICENSE #573634

DATE:

6/2/21


Harold Blaine, LSRP License #573634